



Atty Dkt. No.: IRVN-001DIV  
USSN: 09/875,349

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Typed or Printed Name		Steven F. Goldstein	
Signature		Date	March 3, 2003

<b>AMENDMENT UNDER 37 C.F.R. §1.111</b>  Address to: Box Fee Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket Confirmation No.	IRVN-001DIV 8040
	First Named Inventor	John C. Hiserodt
	Application Number	09/875,349
	Filing Date	June 5, 2001
	Group Art Unit	1642
	Examiner Name	Christopher H. Yaen
	Title	"Cancer Immunotherapy Using Autologous Tumor Cells Combined With Cells Expressing a Membrane Cytokine"

Dear Sir:

This paper is responsive to the most recent Office Action on the merits, dated October 3, 2002 (Paper No. 5), for which a response is due January 3, 2003. Accompanying this paper is a Petition for a two-month extension of time, along with authorization to charge the Deposit Account for the requisite fee. This sets the deadline to March 3, 2003. Accordingly, this paper is timely filed.

Applicant has given careful consideration to the analysis in the Office Action. Please enter the following amendments and remarks.

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## AMENDMENTS

### CLAIM AMENDMENTS

31. *(Currently amended)* ~~A composition comprising a cell genetically altered to express a cytokine stably associated in the cell outer membrane, or the progeny of such a cell, which upon administration to a subject is effective in treating a neoplastic disease or eliciting an anti-tumor immunological response in the subject.~~

A pharmaceutical composition formulated for human administration and effective in treating a neoplastic disease or eliciting an anti-tumor immunological response, comprising:

- a) a human cell expressing a cytokine from a recombinant polynucleotide; and  
b) a pharmaceutical excipient;

wherein the cytokine is stably associated in the cell outer membrane, and  
wherein the cell has been inactivated to prevent proliferation.

32. *(Currently amended)* The composition of claim 31, wherein the cytokine is selected from the group consisting of IL-4, GM-CSF, IL-2, TNF- $\alpha$ , and M-CSF.

33. *(Previously added)* The composition of claim 31, wherein the cell is a cancer cell.

34. *(Currently amended)* The composition of claim 31, wherein the cell is from a cancer tumor of the same tissue type as a tumor in the subject human.

35. *(Currently amended)* The composition of claim 34, wherein the cancer tumor is an ovarian cancer or a brain cancer.

36. *(Currently amended)* The composition of claim 31, wherein the cell is allogeneic to the subject human.